

### **Remarks**

The above Amendments and these Remarks are in reply to the Office Action mailed February 18, 2005.

Claims 52-83 were objected to for minor informalities in claims 52, 59, 71, 79 and 83. These claims have been amended to overcome these objections, and thus these claims should now be allowable. Such amendments are not narrowing.

Claims 71-78 and 83 were provisionally rejected under obviousness-type double patenting rejection based on U.S. Patent Application No. 10/074,379 in view of U.S. Patent No. 6,494,940 to Hak. Applicants do not necessarily agree with this rejection. However, to expedite issuance of a patent, Applicants are submitting a Terminal Disclaimer herewith, as recommended in the Office Action. Accordingly, Applicants respectfully request that the non-statutory double patenting rejection be withdrawn. Applicants note that a Certificate of Ownership has already been filed.

Applicants would like to thank the Examiner for indicating that claims 84-93 are allowed. Minor amendments were made to claims 84, 85 and 90. Such amendments are not narrowing.

#### **\*\*Request for Consideration of Previously Submitted IDSs\*\***

1. Applicants mailed an IDS to the USPTO on **April 27, 2004**, but have not yet received an initialed copy of the IDS back, indicating consideration of the reference therein by the Examiner. Accordingly, Applicants are submitting a date stamped copy of this IDS, evidencing its receipt by the USPTO. Applicants respectfully request that the Examiner consider the reference cited therein and return to Applicants an initialed copy of this IDS.
2. Applicants submitted an electronic IDS on **August 30, 2004**, but have not received an initialed copy of the IDS back, indicating consideration of the references therein by the Examiner. Accordingly, Applicants are submitting a copy of the electronic IDS and an Acknowledgement Receipt from the USPTO, evidencing its receipt by the USPTO. Applicants respectfully request that the Examiner consider the references cited therein and return to Applicants an initialed copy of this IDS.
3. Applicants submitted another electronic IDS on **November 24, 2004**, but have not received an initialed copy of the IDS back, indicating consideration of the references therein by the Examiner. Accordingly, Applicants are submitting a copy of the electronic IDS and an Acknowledgement Receipt from the USPTO, evidencing its receipt by the USPTO. Applicants

respectfully request that the Examiner consider the references cited therein and return to Applicants an initialed copy of this IDS.

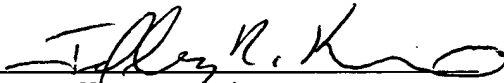
### Conclusion

Applicants believe that all pending claims 52-93 should be in condition for allowance and respectfully request that a Notice of Allowance be issued. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

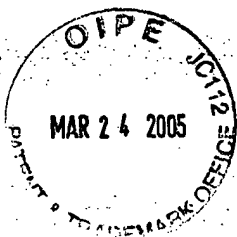
The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: 3/22/05

By:   
Jeffrey R. Kurin  
Reg. No. 41,132

Fliesler Meyer LLP  
Four Embarcadero Center, Fourth Floor  
San Francisco, California 94111-4156  
Telephone: 415/362-3800  
Facsimile: 415/362-2928  
Customer No. 23910



COPY

The U.S. PATENT Office date stamp and Serial No. (if a new application) sets forth the date of receipt of:

Applicant: Taylor et al.

Patent/Serial No.: 10/074 096 Issued/Filing Date: Feb. 12, 2002

Title: ELECTRO-KINETIC AIR TRANSPORTER AND CONDITIONER

DEVICES WITH ENHANCED ANTI-MICROORGANISM

☐ Patent Application and \$ \_\_\_\_\_ fee

Pages in Spec. \_\_\_\_\_: No. of Claims \_\_\_\_\_

☐ CPA ☐ CIP ☐ CON ☐ DIV ☐ Provisional

☐ No. of Sheets of Drawings \_\_\_\_\_: ☐ Formal ☐ Informal

☐ Preliminary Amendment

☐ Response to Notice of Missing Parts

☐ Assignment and Cover Sheet

☐ Declaration

☐ Power of Attorney

☐ Small Entity Statement

☐ Petition for Extension of Time ( \_\_\_\_\_ months)

☐ Response

☐ FEE: \$ \_\_\_\_\_

☒ Other: (7) Cited Documents

RECEIVED

MAY 04 2004

FLIESLER MEYER LLP

☒ IDS

☐ Issue Fee Transmittal

☐ Transmittal Letter

☐ Certificate of Mailing

☐ Express Mail No. \_\_\_\_\_

☐ Notice of Appeal

☐ Appeal Brief



File No.: SHPR-01028054

Attorney/Secy: SRM-JRK

Date Mailed: APRIL 27, 2004

Date Due: \_\_\_\_\_

☒ Other: (7) Cited Documents

☐ Appeal Brief

File No.: SHPR-01028054

Attorney/Secy: SRM-JRK

Date Mailed: APRIL 27, 2004

Date Due: \_\_\_\_\_

Docketing

Fliesler, Meyer LLP

File: SHPR-01028054

Action Item: \_\_\_\_\_

Date Due: \_\_\_\_\_

Critical Date: \_\_\_\_\_

Attorney Path: SRM/JRK

Docketed By: JCM

Verified By: \_\_\_\_\_

Kumark

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

### In re Application

Inventor: Charles E. Taylor et al.  
Appl. No.: 10/074,096  
Confirm. No.: 9062  
Filed: February 12, 2002  
Title: Electro-Kinetic Air Transporter and Conditioner  
Device with Enhanced Anti-Microorganism Capability

### PATENT APPLICATION

Art Unit: 1753  
Examiner: Kishor Mayekar  
Customer No. 23910

### CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on 4/27/04.

Jeffrey R. Kurin (Attorney Signature)  
Jeffrey R. Kurin, Reg. No. 41,132  
Signature Date: 4/27/04

### FIFTH INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

### *Enclosed with this statement are the following:*

- X Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with MPEP §609.
- X The present application was filed prior to June 30, 2003. A copy of each cited document as required by 37 C.F.R. §1.98 is enclosed.

### *This statement should be considered because:*

- X 37 CFR §1.97(b). This statement qualifies under 37 CFR §1.97, subsection (b) because:
  - (1) It is being filed within three months of the filing date of an application other than a continued prosecution application under §1.53(d);  
-- OR --
  - (2) It is being filed within 3 months of entry of a national stage;  
-- OR --
  - (3) It is being filed before the mailing date of the first Office Action on the merits,  
-- OR --
  - (4) It is being filed before the mailing date of the first Office Action after the filing of a Request for Continued Examination under 37 CFR §1.114.

— 37 CFR §1.97(c). Although it may not qualify under subsection (b), this statement qualifies under 37 CFR §1.97, subsection (c) because:

- (1) It is being filed before the mailing date of a FINAL Office Action, a Notice of Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first.

-- AND (check at least one of the following) --

— (1) It is accompanied by a STATEMENT as set forth in 37 CFR §1.97(e).

-- OR --

— (2) It is accompanied by the \$180 fee set forth in 37 CFR §1.17(p).

— 37 CFR §1.97(d). Although it may not qualify under subsection (b) or (c), this statement qualifies under 37 CFR §1.97, subsection (d) because:

- (1) It is being filed on or before payment of the issue fee;

-- AND --

- (2) It is accompanied by a STATEMENT as set forth in 37 CFR §1.97(e);

-- AND --

- (3) It is accompanied by the \$180 fee set forth in 37 CFR §1.17(p).

X **Fee Authorization.** The Commissioner is hereby authorized to charge underpayment of any additional fees or credit any overpayment associated with this communication to Deposit Account No. 06-1325.

Respectfully submitted,

Date: 4/27/04

By: Jeffrey R. Kurin  
Jeffrey R. Kurin, Reg. No. 41,132

Customer No. 23910  
Fliesler Meyer LLP  
Four Embarcadero Center, Fourth Floor  
San Francisco, California 94111-4156  
415/362-3800 Telephone

(Substitute)

US DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

Attorney Docket Number

SHPR-01028US4

Serial No.

10/074,096

**INFORMATION DISCLOSURE CITATION  
BY APPLICANT**

(Use several sheets if necessary)

Applicant

Charles E. Taylor et al.

Filing Date

February 12, 2002

Group Art Unit

1753

**U.S. PATENTS**

Examiner Initial		Patent Number	Issue Date	Name	Class	Subclass	Filing Date
	1.	3,374,941	3/26/1968	Okress			6/30/1964
	2.	5,248,324	9/28/1993	Hara			2/19/92

**U.S. PATENT PUBLICATIONS**

Examiner Initial		Patent Application Publication Number	Publication Date	Applicant
	3.	2004/0065202 A1	4/8/2004	Gatchell et al.
	4.	2004/0052700 A1	3/18/2004	Kotlyar et al.

**PENDING U.S. PATENT APPLICATIONS**

Examiner Initial		Application Number	Filing Date	Inventor	Petition to Expunge	
					Yes	No

**FOREIGN PATENT DOCUMENTS**

Examiner Initial		Document Number	Publication Date	Country	Translation	
					Yes	No
	5.	CN 2138764 Y	7/21/1993	China	✓	
	6.	CN 2153231 Y	1/19/1994	China	✓	
	7.	CN 87210843 U	7/6/1988	China	✓	

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, etc.)


EXAMINER

DATE CONSIDERED

EXAMINER: Initial if references considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\*1 = Copy not submitted because it was submitted in prior application \_\_\_\_\_, filed \_\_\_\_\_, 20\_\_\_\_, and relied upon under 35 USC §120.

\*2 = Copy not submitted because it was submitted in prior application \_\_\_\_\_, filed \_\_\_\_\_, 20\_\_\_\_, and relied upon under 35 USC §120.

COPY

UNITED STATES PATENT AND TRADEMARK OFFICE  
ACKNOWLEDGEMENT RECEIPT

Electronic Version 1.1

Stylesheet Version v1.1.1

<b>Title of Invention</b>	Electro-Kinetic Air Transporter and Conditioner Device with Enhanced Anti-Microorganism Capability
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<b>Submission Type:</b>	Information Disclosure Statement									
<b>Application Number:</b>	10/074096	<b>*10/074096*</b>								
<b>EFS ID:</b>	67623									
<b>Server Response:</b>	<table border="1"><thead><tr><th>Confirmation Code</th><th>Message</th></tr></thead><tbody><tr><td>ISVR1</td><td>Submission was successfully submitted - Even if Informational or Warning Messages appear below, please do not resubmit this application</td></tr><tr><td>ICON1</td><td>9062</td></tr><tr><td>USPTOEFSNotice</td><td>For assistance with e-filing a patent application, contact the Patent Electronic Business Center: Toll-Free Number: 1(866) 217-9197 Website: <a href="http://www.uspto.gov/ebc/">http://www.uspto.gov/ebc/</a></td></tr></tbody></table>		Confirmation Code	Message	ISVR1	Submission was successfully submitted - Even if Informational or Warning Messages appear below, please do not resubmit this application	ICON1	9062	USPTOEFSNotice	For assistance with e-filing a patent application, contact the Patent Electronic Business Center: Toll-Free Number: 1(866) 217-9197 Website: <a href="http://www.uspto.gov/ebc/">http://www.uspto.gov/ebc/</a>
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<b>First Named Applicant:</b>	Charles Taylor																								
<b>Attorney Docket Number:</b>	SHPR-01028US4																								
<b>Timestamp:</b>	2004-08-30 15:00:00 EDT																								
<b>From:</b>	us																								
<b>File Listing:</b>	<table border="1"><thead><tr><th>Doc. Name</th><th>File Name</th><th>Size (Bytes)</th></tr></thead><tbody><tr><td>us-ids</td><td>SHPR-01028US4-usidst.xml</td><td>4626</td></tr><tr><td>us-ids</td><td>us-ids.dtd</td><td>7763</td></tr><tr><td>us-ids</td><td>us-ids.xsl</td><td>12026</td></tr><tr><td>package-data</td><td>SHPR-01028US4-pkda.xml</td><td>2024</td></tr><tr><td>package-data</td><td>package-data.dtd</td><td>27025</td></tr><tr><td>package-data</td><td>us-package-data.xsl</td><td>19263</td></tr><tr><td colspan="2">Total files size</td><td>72727</td></tr></tbody></table>	Doc. Name	File Name	Size (Bytes)	us-ids	SHPR-01028US4-usidst.xml	4626	us-ids	us-ids.dtd	7763	us-ids	us-ids.xsl	12026	package-data	SHPR-01028US4-pkda.xml	2024	package-data	package-data.dtd	27025	package-data	us-package-data.xsl	19263	Total files size		72727
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<b>Digital Certificate Holder Name:</b>	cn=Jeffrey R. Kurin,ou=Registered Attorneys,ou=Patent and Trademark Office,ou=Department of Commerce,o=U.S.

Government,c=US



# ELECTRONIC INFORMATION DISCLOSURE STATEMENT

Electronic Version v18

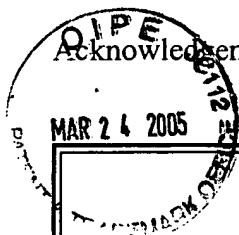
Stylesheet Version v18.0

<b>Title of Invention</b>	<b>Electro-Kinetic Air Transporter and Conditioner Device with Enhanced Anti-Microorganism Capability</b>																																																																																																																																
<p>Application Number: 10/074096 <span style="float: right;">*10/074096*</span></p> <p>Confirmation Number: 9062</p> <p>First Named Applicant: Charles Taylor</p> <p>Attorney Docket Number: SHPR-01028US4</p> <p>Examiner: Rodney G McDonald</p> <p>Search string: ( 0653421 or 0995958 or 4102654 or 4659342 or 4674003 or D315598 or 5012093 or 5077500 or D329284 or D332655 or 5248324 or 5266004 or 5290343 or 5435817 or 5532798 or D375546 or D377523 or 5641342 or D389567 or 5779769 or 5911957 or 5980614 or 6193852 or 6212883 or 6508982 ).pn.</p> <p><b>US Patent Documents</b></p> <p>Note: Applicant is not required to submit a paper copy of cited US Patent Documents</p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th>init</th> <th>Cite.No.</th> <th>Patent No.</th> <th>Date</th> <th>Patentee</th> <th>Kind</th> <th>Class</th> <th>Subclass</th> </tr> </thead> <tbody> <tr><td></td><td>1</td><td>0653421</td><td>1900-07-10</td><td>Lorey</td><td></td><td></td><td></td></tr> <tr><td></td><td>2</td><td>0995958</td><td>1911-06-20</td><td>Goldberg</td><td></td><td></td><td></td></tr> <tr><td></td><td>3</td><td>4102654</td><td>1978-07-25</td><td>Pellin</td><td></td><td></td><td></td></tr> <tr><td></td><td>4</td><td>4659342</td><td>1987-04-21</td><td>Lind</td><td></td><td></td><td></td></tr> <tr><td></td><td>5</td><td>4674003</td><td>1987-06-16</td><td>Zylka</td><td></td><td></td><td></td></tr> <tr><td></td><td>6</td><td>D315598</td><td>1991-03-19</td><td>Yamamoto et al</td><td></td><td></td><td></td></tr> <tr><td></td><td>7</td><td>5012093</td><td>1991-04-30</td><td>Shimizu</td><td></td><td></td><td></td></tr> <tr><td></td><td>8</td><td>5077500</td><td>1991-12-31</td><td>Totok et al</td><td></td><td></td><td></td></tr> <tr><td></td><td>9</td><td>D329284</td><td>1992-09-08</td><td>Patton</td><td></td><td></td><td></td></tr> <tr><td></td><td>10</td><td>D332655</td><td>1993-01-19</td><td>Lytle et al</td><td></td><td></td><td></td></tr> <tr><td></td><td>11</td><td>5248324</td><td>1993-09-28</td><td>Hara</td><td></td><td></td><td></td></tr> <tr><td></td><td>12</td><td>5266004</td><td>1993-11-30</td><td>Tsumurai et al</td><td></td><td></td><td></td></tr> <tr><td></td><td>13</td><td>5290343</td><td>1994-03-01</td><td>Morita et al</td><td></td><td></td><td></td></tr> <tr><td></td><td>14</td><td>5435817</td><td>1995-07-25</td><td>Davis et al</td><td></td><td></td><td></td></tr> <tr><td></td><td>15</td><td>5532798</td><td>1996-07-21</td><td>Nakagami et al</td><td></td><td></td><td></td></tr> </tbody> </table>		init	Cite.No.	Patent No.	Date	Patentee	Kind	Class	Subclass		1	0653421	1900-07-10	Lorey					2	0995958	1911-06-20	Goldberg					3	4102654	1978-07-25	Pellin					4	4659342	1987-04-21	Lind					5	4674003	1987-06-16	Zylka					6	D315598	1991-03-19	Yamamoto et al					7	5012093	1991-04-30	Shimizu					8	5077500	1991-12-31	Totok et al					9	D329284	1992-09-08	Patton					10	D332655	1993-01-19	Lytle et al					11	5248324	1993-09-28	Hara					12	5266004	1993-11-30	Tsumurai et al					13	5290343	1994-03-01	Morita et al					14	5435817	1995-07-25	Davis et al					15	5532798	1996-07-21	Nakagami et al			
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	16	D375546	1996-11-12	Lee
	17	D377523	1997-01-21	Marvin et al
	18	5641342	1997-06-24	Smith et al
	19	D389567	1998-01-20	Gudefin
	20	5779769	1998-07-14	Jiang
	21	5911957	1999-06-15	Khatchatrian et al
	22	5980614	1999-11-09	Loreth et al
	23	6193852	2001-02-27	Caracciolo et al
	24	6212883	2001-04-10	Kang
	25	6508982	2003-01-21	Shoji

**Signature**

Examiner Name	Date



COPY

UNITED STATES PATENT AND TRADEMARK OFFICE  
ACKNOWLEDGEMENT RECEIPT

Electronic Version 1.1

Stylesheet Version v1.1.1

Title of  
InventionElectro-Kinetic Air Transporter and Conditioner Device with Enhanced  
Anti-Microorganism Capability

Submission Type: Information Disclosure Statement

Application Number: 10/074096

\*10/074096\*

EFS ID: 73152

Server Response:

Confirmation Code	Message
ISVR1	Submission was successfully submitted - Even if Informational or Warning Messages appear below, please do not resubmit this application
ICON1	9062
USPTOEFSNotice	For assistance with e-filing a patent application, contact the Patent Electronic Business Center. Toll-Free Number: 1(866) 217-9197 Website: <a href="http://www.uspto.gov/ebc/">http://www.uspto.gov/ebc/</a>

First Named Applicant: Charles Taylor

Attorney Docket Number: SHPR-01028US4

Timestamp: 2004-11-24 14:30:08 EDT

From: us

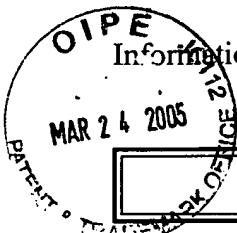
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Doc. Name	File Name	Size (Bytes)
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Total files size		71576

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Digital Certificate Holder  
Name:cn=Jeffrey R. Kurin,ou=Registered  
Attorneys,ou=Patent and Trademark  
Office,ou=Department of Commerce,o=U.S.

Government,c=US

**ELECTRONIC INFORMATION DISCLOSURE STATEMENT**

Electronic Version v18

Stylesheet Version v18.0

**Title of  
Invention****Electro-Kinetic Air Transporter and Conditioner Device with  
Enhanced Anti-Microorganism Capability**

Application Number: 10/074096

**\*10/074096\***

Confirmation Number: 9062

First Named Applicant: Charles Taylor

Attorney Docket Number: SHPR-01028US4

Art Unit: 1753

Examiner: Rodney G McDonald

Search string: ( 4955991 or 4967119 or 4976752 or 5006761 or 5012159 or  
5053912 or 5180404 or 5766318 or 5993521 or 6117216 or  
6203600 or 6398852 or 6494940 or 6635105 or 3540191 or  
20040136863 or 20040166037 ).pn.

**US Patent Documents****Note: Applicant is not required to submit a paper copy of cited US Patent Documents**

init	Cite.No.	Patent No.	Date	Patentee	Kind	Class	Subclass
	1	4955991	1990-09-11	Torok et al			
	2	4967119	1990-10-10	Torok et al			
	3	4976752	1990-12-11	Torok et al			
	4	5006761	1991-04-09	Torok et al			
	5	5012159	1991-04-30	Torok et al			
	6	5053912	1991-10-01	Loreth et al			
	7	5180404	1993-01-19	Loreth et al			
	8	5766318	1998-06-16	Loreth et al			
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	12	6398852	2002-06-04	Loreth			
	13	6494940	2002-12-17	Hak			
	14	6635105	2003-10-21	Ahlborn et al			
	15	3540191	1970-11-17	Herman			

**US Published Applications**

Note: Applicant is not required to submit a paper copy of cited US Published Applications

init	Cite.No.	Pub. No.	Date	Applicant	Kind	Class	Subclass
	1	20040136863	2004-07-15	Yates et al			
	2	20040166037	2004-08-26	Youdell et al			

**Signature**

Examiner Name	Date